

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

KYLE THOMPSON, :  
Petitioner, : Case No. 3:07-cv-165  
-vs- : District Judge Thomas M. Rose  
: Chief Magistrate Judge Michael R. Merz  
:   
COMMISSIONER OF :  
SOCIAL SECURITY, :  
Respondent. :  
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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #10), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on December 20, 2007, hereby ADOPTS said Report and Recommendations.

Accordingly, the Court shall adopt the Report and Recommendations, finding that the Plaintiff was not disabled and therefore not entitled to benefits under the Act. The Clerk shall enter judgment dismissing the Complaint with prejudice.

December 21, 2007.

**s/THOMAS M. ROSE**

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Thomas M. Rose  
United States District Judge